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NATIONAL CONVENTION.

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THE  
D E F E N C E  
OF  
L O U I S.

*K. Leze (K. de)*  
*8050.0.17*  
Pronounced at the Bar of the National Convention, on Wednesday, 26th December, 1792, the First Year of the Republic. By Citizen *DASSEZ*, one of his official Councils.

TRANSLATED FROM THE FRENCH,

By CEZAR DUBUC.

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PRINTED BY ORDER OF THE NATIONAL  
CONVENTION.

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PARIS:

AT THE NATIONAL PRESS,

MDCCXCII.

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## ADVERTISEMENT.

*FORCED* to write a defence of importance in four nights, as I employed the day-time with my colleagues in examining the numerous pieces which had been communicated to us, I need not inform that it savors of the extreme haste, in which it was drawn up, and that it presents the reader in some sort with results only; but I was obliged to discharge a sacred duty, and I have consulted my zeal only, and not my strength.







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*Citizens, Representatives of the Nation,*

THE day is at length arrived in which Louis, accused in the name of the French people, can be heard in the midst of them! The moment is come in which he, surrounded by councils with which humanity and the law have favored him, can present to the nation a defence which his heart avows, and unfold before her the intentions which have ever actuated him! I am already convinced by the silence around me, that

that the day of justice has succeeded the days of rage and prejudice; that this solemn act is not a vain form; that the temple of liberty is that likewise of that impartiality which the law commands; and that the man, whoever he be, who finds himself reduced to the humiliating condition of *accused*, is ever sure to gain the attention and the interest even of those who prosecute him.

I say the man whoever he be; for indeed Louis is only a man, he is an accused man. He can be guilty of no more imposture; he can do nothing; he can no more impress with fear; he can offer no more hopes. This then is the moment in which you owe him not only the greatest justice, but I will venture to say the greatest favor. He has a right to inspire you with all the sensibility which a misfortune without bounds can produce. And if, as a celebrated republican has said, for those who live under monarchic governments, the misfortunes of kings have something vastly more affecting and sacred than the misfortunes of other men, most certainly the fate of him who has filled the most brilliant throne in the universe, demands a far more sanguine interest. This interest ought to increase in proportion as the decision which you are about to pronounce on his fate advances. Hitherto you have only heard the answers which he has made you; you have called him into the midst of you; he is come with calmness, with courage, with dignity. He is come fully persuaded of his innocence, strong by the purity of his intentions, of the consoling testimony of which no human power can deprive him, and supported in  
some

some sort upon his past life, he has wished that you and that the nation by you should know all he has done ; he has even revealed his thoughts to you. But in answering you, thus at the same moment in which he was called, in discussing without preparation and without examination the accusations which he did not anticipate, in delivering extempore, if I may so say, a justification which he never suspected ought to be made to you, Louis could only declare his innocence ; it has not been in his power to demonstrate it, he could not produce proofs of it. I, citizens, I bring them to you, I bring them to that people in the name of which he is accused. I wish I could be heard this moment by all France. I could wish that this enclosure might in an instant be enlarged to receive her citizens. I know that in speaking to the representatives of the nation, I speak to the nation herself ; but Louis no doubt will be allowed to regret, that an immense multitude of citizens having been impressed with the accusations of which he is the object, have it not in their power this day to appreciate the answers, which destroy them. What at present is of the most importance to him is to prove that he is not culpable ; that is his only wish, his only thought. Louis well knows that Europe waits with impatience for the judgment you are about to give, but he troubles himself only for France. He well knows that posterity will one day collect the pieces of this great discussion, which is raised between a nation and a man ; but Louis thinks only on his cotemporaries ; he aspires only to



undeceive them. We ourselves aspire only to defend him; we only wish to justify him. Like him we forget Europe which is listening to us; we forget posterity whose opinion is already forming, we wish only to see the actual moment; our business respects only the fate of Louis; and we shall think our task accomplished when we shall have shown that he is innocent.

Further, citizens, I ought not to dissemble to you, and this has been a source of great grief, that time has been wanting to us all, but particularly to me in preparing this defence. The most important materials were in our hands, and we have scarcely been able to glance at them. We found it expedient to class the pieces which the commission has opposed to us during the time which was allowed us to examine them. Besides, my concerns with the accused have deprived me of a great part of those moments, which were intended for digesting it. I have spent only a week in a cause which for its importance, its solemnity, its eclat, and its sound in ages to come, if I may so express myself, would have merited the meditation and the efforts of many months. I therefore intreat you, citizens, to hear me with the indulgence with which even our respect for your decree, and the desire of obeying it ought to inspire you. Let not the cause of Louis suffer from the involuntary omissions of his defenders; let your justice aid our zeal, and let it be said according to the elegant expression of the Roman orator, that you yourselves have labored in some sort, with me, at the justification which I present you.

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I have to run over a vast field, but I shall abridge it by division.

Were I to answer before judges alone, I should only present them with some principles, and should be content with saying that since the nation has abolished royalty, nothing remains to propose respecting Louis; but my address is likewise to the people; and Louis has too much at heart to destroy the prejudices which they have imbibed, to evade a superfluous task, and also an obligation to discuss all the facts which have been imputed to him.

I will first lay down the principles, and then will proceed to discuss the facts, as the act of accusation declares.

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PRINCIPLES RELATIVE TO THE INVIOABILITY,  
PRONOUNCED BY THE CONSTITUTION.

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I have here to examine the principles under two points of view.

Under the point of view in which Louis found himself placed, before the abolition of royalty.

And under that in which he has found himself placed, since this abolition has been declared.

In entering on this discussion I find at first the decree by which it is decided that Louis shall be judged by the National Convention, and I am not ignorant of the abuse which some minds, more distinguished perhaps for their ardor, than their reflection, have pretended to make of this decree.

I know that they have supposed that by this declaration, the Convention had taken beforehand

hand from Louis the inviolability under which the constitution had screened him.

I know that they have said that Louis could no more employ this inviolability as a mean in his defence.

This however is an error which the simplest observation is sufficient to dissipate.

What has the convention actually declared ?

In decreeing that Louis should be judged by her, all she has decided is that she constituted herself judge of the accusation which she herself had entered against him ; but at the same time, she constituted herself judge of this accusation the convention enjoined that Louis should be heard, and we are sensible how impossible it was that she should judge him before he had been heard.

If then Louis has an unquestionable right to be heard before judgment is passed, he has likewise a right of defending himself from the accusation of which he is the object, by all the methods which appear to him the most proper to disannul it. This is a right of all persons accused ; it belongs to them by their quality even of accused. The judge has no right to take from the accused one of these means of defence ; he can only estimate them in his own judgment.

The Convention then has only this faculty with respect to Louis ; she will appreciate his defence when we shall have presented it ; but before, she can neither judge nor enfeeble it. If Louis be deceived in the principles of which he considers it important to avail himself, it will be for the Convention to discard them in her decision ; but till then it is expedient that she  
hear.



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hear him. Justice demands it, the law demands it.

Here then are the principles which I lay down, and for which I sue.

Nations are sovereign.

They are free to choose that form of government, which appears to them the most suitable.

They even can, when they have discovered the vices of that of which they have made trial, adopt a new one in order to change their destiny.

I do not dispute this right of nations; it is imprescriptible; it is written in our constitutional act; and it is not perhaps forgotten that it is to the efforts even of one of Louis's council, then a member of the constitutional assembly, that France is indebted for this fundamental maxim, placed in the number of her laws.

But a great nation cannot herself exercise her sovereignty; she must unavoidably do it by delegation.

The necessity of this delegation leads her, either to make choice of a king or to form herself into a republic.

In 1789, in this first epoch of her revolution, which suddenly changed the form of government under which we had lived for so many ages, the nation assembled, declared to mandatories that she had chosen—that she wished for a monarchic government.

The monarchic government necessarily required the inviolability of its chief.

The representatives of the French people thought, that in a country where the king was alone entrusted with the execution of the law, that the action of this law might meet with no obstacles, or surmount

surmount them, if any should present. The executive power wanted all the strength of opinion; they thought it necessary that he should command that respect which enforces a due obedience to the law; that he should keep within their limits all the secondary authorities which tend only to deviate from them; that he should repress or prevent all passions, which strive to counteract the general good, that he should watch with the greatest care all parts of the public order; in a word, that he should hold in his hand without cessation, all the springs of government constantly bent, and that he should not suffer a single one to relax.

They thought that, in order to discharge so great duties, it was requisite that the monarch should be invested with great power, and that this power might have all freedom of exercise, it was necessary that it should be inviolable.

Besides, the representatives of the nation knew that nations did not create inviolability for kings but for themselves; that it was for their own tranquillity, for their own happiness, and because in monarchic governments, the tranquillity would be continually interrupted, if the chief of the supreme power did not incessantly oppose the inflexibility of the law to all the passions, or to all the digressions which might either elude or violate the general orders.

In fine, they considered this maxim of a neighbouring people as a *moral* as well as a *political* principle, that the faults of kings can never be personal; that the unhappiness of their situations, the seductions which incircle them, ought always

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to induce them to impute even the crimes, which they may commit, to evil counsellors, and that it was better for the people whose inviolability was their true birthright, to remove from them every kind of responsibility, and rather to presuppose their folly, than to expose them to assaults which will tend only to occasion great revolutions.

It is on these ideas the representatives of the people laid the basis of the constitution, which France had asked of them.

I then turn to the constitution, and see in the first chapter *on royalty*, that royalty is indivisible, and that it descends from male to male hereditarily in the reigning family.

So I observe at first that the title which has conferred royalty on Louis is a delegation.

There has been a dispute on the character of this delegation.

Some have asked if it were a compact.

Others in particular have demanded if it were not a synallagmatic compact.

But these questions were only about words.

Without doubt this delegation was not a compact of the nature of those, which can be dissolved only by the mutual consent of the parties. It is evident that it is only a mandamus, a prerogative of the exercise of sovereignty, the principle of which was reserved to the nation, and which she could not alienate, and therefore a prerogative revocable in its essence, as are all mandamuses; but it was a compact in this sense, that so long as it subsisted and was not repealed, it obliged the *mandant*, or constituent to fulfil the conditions under which he had given it, as it obliged the mandatory to fulfil



fulfil those under which he had received it.

Let us put away the controversy which respects *terms* only, and lay down at first, that the constitutional act, in subjecting Louis to discharge with fidelity the august function with which the nation has entrusted him, could not submit him to other conditions, or to any other *pains*, than those, which are written in the mandamus itself.

Let us see then what are these *pains*, or these conditions written in the mandamus.

I pass to the second article and read, that *the person* of the king is inviolable and sacred; and I observe that this inviolability is laid down in an absolute manner. There is no condition which alters it, no exception which modifies, no shade, which weakens it; it is in two words, and it is entire.

But here are the hypotheses anticipated by the constitution, and which, without altering the inviolability of the king, since they respect his character as king, so long as he enjoys it, suppose certain circumstances in which he may lose this character and cease to be king.

The first of these hypotheses falls under article 5.

“If, a month after the invitation of the legislative body, the king have not taken the oath of fidelity to the nation and to the law, and to maintain the constitution, or, if after having taken it he withdraw it, *he shall be considered as having abdicated royalty.*”

The nation here obliges the king to take the oath of fidelity, and to observe it when he has taken it.

For the king to retract his oath is, no doubt, a crime

crime against the nation. The constitution anticipated this crime ; and what is the *pain*, which it declares ? It is that the king will be considered as having abdicated royalty.

I badly explain myself in speaking of *pain* ; for it is not in fact a *pain*, which the law pronounces, in the legal sense of the word ; it is not a judgment, which the law ordains, it is not a *déchéance*, which it establishe ; this word is not a *single* time expressed in the law ; it is a supposition, which it creates, and by which it declares that, in the hypothesis which it anticipated, *it will be presumed that the king has abdicated royalty.*"

Words here, legislators, are not indifferent.

It is evidently out of respect for the character of king, that the constitution has endeavoured to shun wounding him even in the terms ; through this motive she has affected the choice of such expressions as she has adopted, and has made use of no other. You perceive she has created no tribunal, that she speaks of no judgment, and that she pronounces not the word *déchéance* ; for safety she has considered herself as obliged only to anticipate the case, in which she may have occasion to complain of the perfidies or wicked attempts of the king, and she has said, if such an instance should happen, it will be presumed that the king has consented to the revocation of the mandamus which I had given him : and I am at liberty to resume it.

I well know it is always necessary to declare the presumption of such revocation, and that although the constitution should be silent on the mode in which this declaration ought to be con-

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ducted,

ducted, it is certainly to the nation the right of pronouncing it belongs; but, in fine, this is nothing more than a fiction; and this fiction realized, is not, to speak with propriety, a *pain*, it is a fact.

I have just said that the constitution had anticipated the case in which the king might retract his oath of fidelity; but without retracting this oath the king might betray it; he might make attempts on the safety of the nation, he might lead the power against her, which she, on the other hand, had given him to defend her. The constitution anticipated this crime too; what does she pronounce?

Under the article 6 it says,

“ If the king place himself at the head of an  
“ army, and direct its strength against the nation,  
“ or, if he do not hinder, by a formal act, such an  
“ undertaking, carried on in his name, he shall be  
“ considered as having abdicated royalty.”

I intreat you, citizens, to take notice here of the character of the crime anticipated by the law.

———“ to put himself at the head of an army,  
“ and to direct its strength against the nation.”

Certainly a crime more important cannot exist; it includes all others. It supposes in the combinations, which prepare it, all the perfidies, all the machinations, all the plots which are necessarily consequent on such undertakings; it supposes in its effects all the horrors, all the plagues, all the calamities which a bloody intestine war carries in its train. And yet what does the constitution again pronounce? The presumption of abdicating royalty.

Article



Article 7 anticipates the case, in which the king shall leave the kingdom, and in which he shall refuse to comply with the invitation made him, by the members of the legislative body, to return within the limits prescribed by them. And what does the constitution again pronounce? The presumption of abdicating royalty.

"In fine, article 8, which is very important, contains the following; "After an *express* or *legal* abdication, the king shall be ranked with the citizens, and shall be liable to be accused and tried like them, for *actions posterior to his abdication.*"

There is no occasion for my defining an *express abdication*.

A *legal abdication* is defined by the articles which I have enumerated.

The result then is, that it is only after a voluntary abdication, or the commission of one of the crimes, which are consequent on the presumption of abdication, that the king is enrolled among the citizens.

The king was not then *before* enrolled among the citizens.

He then had a constitutional, particular, separate existence, absolutely distinct from that of other citizens; and whence did he derive this particular privileged existence, if it be not from the law, which stamped on him the sacred character of inviolability, which was indelible until his *express* or *legal* abdication.

Observe that the law, which says that the king is enrolled among the citizens after a *legal abdication*,

cation, had just made this abdication the result—of what? Of the greatest crimes, which a king can perpetrate against a nation, that of directing an army against her, with a view to conquer, or enslave her: and it is after this atrocious crime that she declares him enrolled among the citizens. She does not suppose then that, even taken with arms in his hands, the king can lose his life; she does not suppose that he is liable to be condemned to any punishment; she does not suppose he can ever receive any other, than the abdication of royalty.

Citizens, how many different explanations do the texts of the constitutional law, thus brought together admit; and what light do they throw on the question which I here discuss!

But I proceed.

When the king is enrolled among the citizens, he may be tried like them.

But for what acts?

For those *posterior* to his abdication.

Then for those *anterior* to his abdication he cannot be tried, in the sense in which we commonly understand this term.

All that can be applied to these acts is the presumption of this abdication itself.

This is all the constitution would have, and we cannot enlarge the text.

And in other respects the law is perfectly equal between the legislative body and the king.

Those of the legislative body had it likewise in their power to betray the nation; they could abuse the power with which she had entrusted them; they could prolong this power beyond the term which she had fixed! they could invade her sovereignty!

sovereignty ! the nation had a right no doubt to dissolve this ambidextrous body ; but there was no punishment pronounced by the constitution, against the body on the members.

I will now apply these principles.

Louis is accused ; he is accused in the name of the nation ; he is accused of many crimes.

These crimes either are anticipated by the constitutional act, or are not.

If they are not anticipated by the constitutional act you cannot try them ; for then there is no law applicable to them, and you know that one of the most sacred rights of man is, that he can be tried only according to the laws promulgated prior to the commission of the crime.

If they are anticipated by the constitutional act, then Louis has only incurred the presumption of abdicating royalty.

But further, I say they are anticipated by the constitutional act ; for the constitutional act anticipated *one* of them, which is the most atrocious of all, and in which all others are necessarily included ; it is that of war made on the nation, by turning her own forces against her. However one will understand it, every thing is expressed in this. All the perfidies of which Louis could have been guilty, in the design of overthrowing the constitution, which he had promised to maintain, are nothing else than a war, made on the nation ; and this war taken in a figurative sense, is far less terrible, than the conflagrations, the massacres, the devastations, which war taken in a literal sense always occasions. Well citizens ! for all these crimes the law only pronounces the

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presumed



presumed abdication of royalty.

I very well know at this day that the nation herself has abolished royalty, she can no more pronounce this abdication.

The nation, without doubt, had the right of abolishing royalty.

She could change the form of the French government.

But could she change the fate of Louis?

Could she divest him of the right of a trial by *these laws only* to which he had submitted?

Could she go beyond the mandamus by which he was bound?

Has not Louis a right to tell you?

When the convention was formed, I was a prisoner of the nation.

You therefore could decide on my fate, as you wish to do this day.

Why have you not decided?

You have abolished royalty; I do not dispute your right; but if you had suspended this declaration of the national pleasure, and if you had begun by accusing and trying me, you would have inflicted on me no other punishment, than the abdication of royalty.

Why have you not begun by that?

Can what you have done injure my right?

Can you place yourselves independent of the constitution, and then declare to me that it is destroyed?

What! you wish to punish me; and because you have annihilated the constitutional act, you think to deprive me of the advantage of it!

You wish to punish me; and because you can find:

find no other penalty to which you have a right of condemning me, you think to pronounce one different from that to which I had submitted myself!

You wish to punish me; and because you know of no law to which you can subject me, you think to make one solely for me!

Certainly at this day, there is no power equal to yours; but there is one power which you have not; it is that of being unjust.

Citizens, I know of no answer to this defence.

Yet some are opposed to it.

It is said that the nation could not, without alienating her sovereignty, renounce the right of punishing otherwise, than by the penalties of the constitution, those crimes which were committed against her.

But that has a double meaning which it is very astonishing any one should even allow himself.

The nation could give herself a constitutional law.

She could not renounce the right of changing this law, because this right was inherent in the very essence of her sovereignty, but she could not this day say, without raising an enraged universe against her, I will not execute the law I have given myself, notwithstanding the solemn oath with which I have promised to execute it as long as it shall subsist.

To suppose such language, would be to insult the national loyalty, and to suppose that on the part of the representatives of the French people, the constitution has only been the most horrible of all snares.

Some have said also that if the crimes of which  
Louis

Louis is accused, be not in the constitutional act, then all that can be determined, is that he can be tried either by the principles of natural, or by those of political right.

To this objection I answer two things.

The first is that it would be very strange, that the king should not enjoy that right, which the law gives every citizen, viz. that of being tried only by the law, and not by any arbitrary judgment.

The second is, that it is not *true* that the crimes of which they accuse Louis are not in the constitutional act.

In short, what is it for which he is reproached?

It is for having betrayed the nation, by co-operating with all his might to favor the attempts which have been made to overthrow the constitution.

Now this crime is evidently ranked under the second head of the 6th article, which respects the case, in which the king shall not counteract attempts made in his name.

But if the crime, intimated under the first head of the same article, which is that of a war made on a nation, the king at the head of an army, and which is vastly more important than the second, is to be punished only by the presumed abdication of royalty, how can we inflict a greater punishment for a crime of less importance?

I seek the most specious objections which have been offered; I would wish to run over them all.

I speak not of what some have said, that *Louis had been tried by insurrection.*

Reason and sentiment equally refuse the discussion.



cussion of a maxim, destructive of all liberty and justice, of a maxim which exposes the life and the honor of every citizen, and which is contrary to the very nature of an insurrection.

I do not pretend to examine the characters which distinguish lawful insurrections, and those which are not lawful; national insurrections, and those which are only partial; but I say an insurrection is by its nature a sudden and violent resistance to supposed oppression; and of course it cannot be a reflected action or a judgment.

I say, that in a nation which has any constitutional law, an insurrection can only be a claim to that law, and the provocation of a trial founded on the disposition which she has consecrated.

In fine, I say that every republican or other constitution, which shall rest on this fundamental basis, and which will give to insurrection alone, it matters not whatever its nature or object be, all the characters which belong only to the law, will be only a house of sand, which the first popular gust will overthrow.

Nor do I say, as has been said, that royalty is a crime because it is an usurpation.

The crime here would be on the part of the nation, which would have said, I offer you royalty, but to herself she would have said, I will punish you if you accept it.

But it has been objected, that Louis, since he had violated the constitutional law, could not invoke it.

At first they suppose that he has violated it; but I shall presently prove the contrary.

But then the constitutional law has anticipated its

its violation, and has declared against this violation no other penalty, than the presumed abdication of royalty.

Some have asserted that Louis ought to be tried as an enemy.

But is he not an enemy, who puts himself at the head of an army against his own nation? And yet it is very necessary to repeat it, since it is forgotten, that the constitution did anticipate this case, and fixed the penalty.

It has been said that the king was inviolable, only for every citizen; but that between a nation and a king, there was no more natural affinity.

But in this case the republican functionaries themselves could not sue for those guarantees, which the law had given them.

The representatives of the nation then will be no more inviolable against the people, for what they shall have said or done in quality of representatives. What an inconceivable system!

It has likewise been said, if there be no law applicable to Louis, his fate should depend on the pleasure of the people.

Citizens, I here answer in the words of Rousseau.

“Where I see neither the law, which we ought to follow, nor the judge who ought to pronounce it, I cannot leave it to the general will. The general will, as such cannot decide either on a man, or on a fact.”

Such a text needs no comment.

I here put a stop to this long train of objections, which I have collected from all the writings, which have been published, and which, as we have seen, destroy not the principles I have laid down.

But

But furthermore, it seems to me that whatever has been said or may be said against the inviolability, pronounced by the constitutional act, there can be only one or the other of these two consequences; either that the law ought not to be produced in the absolute sense, in which it is presented, or that it ought not to be put in execution.

Now, on the first point I answer, that in 1789, when this law was discussed, in the constituent assembly, all the doubts, all the objections, and all the difficulties which have this day been renewed, were then proposed; it is a fact which it is impossible to dispute, which is deposited in all the journals of that time, and the proof of which is in the hands of every one; and yet the law was adopted, such as is written in the constitutional act.

Then at this day we can understand it in no other sense, than in that, which this act itself presents.

Then we can no more countenance the distinctions, by which some would change the intention of the law, or disguise it.

Then we cannot limit the absolute inviolability which it pronounces, to a relative or modified inviolability.

Respecting the second point, I answer, that if the law of inviolability were unreasonable, absurd, and fatal to the national liberty, it must continue to be put in execution till repealed, because the nation has accepted it, in accepting the constitution; because that in accepting it she has justified her representatives in the error for which they



they are reproached, and because she has sworn to execute it, as long as it shall exist, which allows of no more objections.

The nation undoubtedly has a right this day to declare that she wishes no more for a monarchic government, since it is impossible for this government to subsist without the inviolability of its chief; she may renounce this government, on account of this inviolability; but she can never efface it for the time, in which Louis filled the constitutional throne. Louis was inviolable while he was king; the abolition of royalty can change nothing in his condition; the only result is that we can inflict on him, no other penalty, than the presumed abdication of royalty; but for that alone, we can inflict no other.

Thus from this discussion, let us conclude that where there is no law applicable, there can be no trial; and where there is no trial, there can be no condemnation pronounced.

I speak of condemnation; but observe, that if you take from Louis the inviolability of king, you owe him at least the rights of citizen; for you cannot deprive him of the quality of king, at the time you declare you will try him.

Now if you intend to try Louis as a citizen, I would ask where are those self-preserving forms, which every citizen has the imprescriptible right of claiming?

I would ask, where is this separation of powers, without which there can exist no constitution nor liberty?

I would ask, where are those *jurés* (grand juries) of accusation and of trial, a kind of hostages  
given

given the citizens by law, for the guarantee of their safety and innocence ?

I would ask of you, where is this so necessary faculty of exception, which she herself has placed between hatred and passion, in order to remove them ?

I would ask, where is that proportion of suffrages which she with such wisdom has established, with a view to avert or mitigate the condemnation ?

I would ask, where is that silent scrutiny, which induces the judge to examine himself before he gives sentence, and which locks up in the same urn, if I may be allowed the expression, both his opinion and the testimony of his conscience ?

In a word, I would ask, where are all those religious precautions, which the law has taken, that the citizen, even when culpable, should never be punished except by the law ?

Citizens, I will speak with the freedom of a freeman. I look among you for judges, but I see nothing but accusers.

You will decide on the fate of Louis ; and you yourselves are his accusers !

You will decide on the fate of Louis ; and you have already forgotten your promise !

You will decide on the fate of Louis ; and your thoughts travel all over Europe !

Louis then will be the only Frenchman for whom there was found neither law nor form !

He will have neither the rights of citizen, nor the prerogatives of king !

He will enjoy neither his ancient nor his new condition !

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What a strange and inconceivable destiny!

But I insist not on these reflections, I abandon them to your consciences; I do not wish to defend Louis with principles only; I wish to encounter the prejudices which the people have imbibed respecting his intentions and his character; I will destroy them. I will therefore exhibit to you his justification in the discussion of those facts, which your act of accusation declares.

I shall divide this act into two parts.

First, I shall run over the facts which preceded the constitution.

I then shall examine those which followed.

#### DISCUSSION OF FACTS.

##### FIRST PART.

#### FACTS ANTERIOUR TO THE ACCEPTATION OF THE CONSTITUTION.

Citizens, you go back to the month of June, 1789; I also go back to that period.

And how could you accuse Louis of having a design the 20th of June, to dissolve the assembly of the representatives of the nation?

Have you forgotten that it was he who had formed it?

Have you forgotten that for more than 150 years, princes, more jealous of their power than ever he was, had always refused to call an assembly; that he alone of them all had had the courage; that alone he had dared to be environed with the lights and consolations of his people, and had never dreaded their claims?

Have



Have you forgotten all the sacrifices he made before this great national convocation ; how much he retrenched from his power in order to add to our liberty ; that satisfaction which he expressed in so lively a manner at seeing us enjoy that invaluable felicity which he himself had bestowed on us ?

Citizens, we are this day very far from that moment ; we have too much effaced it from our memory ; we think not sufficiently on the situation of France in 1787 ; on the empire where absolute authority then held her sway ; the respectful fear which she infused ; without a generous movement of the pleasure of this prince, against whom so many voices are this day raised, the nation had not been assembled. And do you think that the man, who had voluntarily exercised this pleasure, at once so bold and noble, could in a month after exercise one so different ?

You reproach him for the agitations of the month of July, the troops cantoned around Paris, and the movements of those troops.

I might inform you that Louis has largely proved that he had not the intentions some have supposed.

I might inform you, that the troops cantoned around Paris, were conducted thither only to defend Paris from the *agitateurs* ; that far from having received orders to withstand the citizens, they had been directed to stand still before them ; that I myself saw these orders when I had opportunity to defend the general of those troops, accused \* of high treason, and whom the nation did not

\* *Beserval. Défense de Louis.*

not hesitate to absolve.

But I have a still better answer to make you, and it is the nation, which has furnished me with it.

I see, on the 4th of August, the whole nation proclaiming Louis the *restorer of the French liberty*, entreating him to unite with her in offering the homage of their mutual acknowledgments to the supreme Being, and voting a medal to perpetuate the remembrance of this great epoch.

But I find that month of July no more for Louis !

You have reproached him for bringing the *regiment de Flandres* to Versailles.

The municipal had demanded it.

The insult offered the national cockade.

Louis himself has answered you, that if this odious fact did exist, of which he was ignorant, it had never taken place in his presence.

Respecting the decrees of the 11th of August.

They were dictated to him by his conscience.

And how could he not have had the liberty of his opinion on those decrees, since the nation had allowed him the right of opposing them ?

You have reproached him for the events of the 5th and 6th of October.

Citizens, there is but one answer here for Louis, viz. not to recal those events.

I had rather myself recal to your minds the beautiful movement of Louis towards the National Assembly, on the 4th of February, and that of the Assembly towards him.

I had rather recal to your minds, that in the month of July following, the representatives of the

the people themselves, constituted Louis the chief of the national federation; and without doubt, such a distinguishing mark of confidence amply evinces their opinion of him.

You say, that since this federation, Louis has attempted to corrupt the minds of the people, that there have been found with him certain memoirs in which Talon is held up as destined to act in Paris, and Mirabeau as appointed to excite a counter-revolutional movement in the provinces; that there have been found certain letters also from the administrator of his civil list, which speak of money scattered about, and which said that this money had produced nothing.

You bring against him these memoirs and letters.

Citizens, I here have many answers to make you.

In the first place, were I to defend a common person accused, I should insist that pieces which could only have been produced as a testimony against him, by an invasion of his dwelling, could not be urged in opposition to him.

I would observe, that in the very seals, which justice stamps on the papers of every accused person, there has never been an inventory taken of the pieces sealed up, except in the presence of the accused, who was the object of those pieces.

I would add, that otherwise nothing would be easier for the malevolent or inimical, than to slip under seal such pieces as are likely to expose an accused person, and to deprive him of such as would justify him.

In fine, I would say, that were it not for this



sacred form of the necessity of the presence of every accused person at every inventory of the pieces existing, or seized in his dwelling, the honour as well as the liberty of every citizen, would be continually exposed to the most imminent danger.

Now of this defence, of which I should have a right to avail myself in favour of every accused person, I must certainly have a right to avail myself in favor of Louis.

The dwelling of Louis has been invaded; his cabinets opened; his bureaux broken; a great part of his papers scattered or lost; the law has not placed them under her safeguard; he has had no seals; there has been no inventory made with Louis; during the tumult of the invasion they could remove or take away certain pieces; they could lay aside those especially, which would have explained those which give offence. In a word, Louis was not there when those pieces were seized; he did not attend at the collection of them; nor did he attend at the examination of them; he then has the right to know nothing respecting them, and they to deduce no arguments from them against him.

But further, what are these pieces?

They are, in the first place, letters of a dead man.

But can the letters of a dead man amount to a proof in this case?

Were the person, to whom they have been imputed, still alive, they could not be charged on him before having ascertained his hand-writing; how can they charge them on a third person; how can they charge them on Louis?

They say these letters speak of money scattered about.

But

But although this fact, which the letters themselves do not explain, or of which they do not mention the motive, should be true; although they had abused the beneficence of Louis, although under pretence of right intentions, and by presenting him with a good project, they shall have taken from him greater or less sums, do we not know with what address they deceive kings? Do kings know the truth? Do they know it? Are they not always surrounded with snares? Are not some people continually employed in appropriating to themselves, either their power, or their treasures: and frequently even to their detriment? And will they not be convicted of corruption by that alone, that some importunate, or intriguing men will have provoked, or vexed in some measure, their munificence?

They speak of a memorial, addressed to Louis, in which Mirabeau is represented (say they) as disposed to stir up a counter-revolutional movement in the provinces.

But can the king answer for certain memorials presented to him? Can he verify the allegations? Can he ascertain the facts?

How unhappy then would be the condition of kings, if they were thus charged with all the suspicions, which might excite the claims, which are addressed to them!

Mirabeau, citizens, during his public life, was exceedingly popular.

This popularity has even survived his death.

His memory is this day insulted, but a voice is raised to defend it before the nation; we must wait until the nation has heard and pronounced.

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On the whole, what do all these letters, all these memorials, all these writings offer personally to Louis ? There is not a single circumstance to accuse him ; there is not even the shadow of a proof, which has been received, either from the plans which have been presented to him, or from the propositions which have been made to him. The postscripts, which have been observed in the memorials, import nothing but the date, and the name of the author ; nothing can be gathered from them to inform us of the opinion, which he entertained ; and undoubtedly, if it be permissible to cite the testimony of public opinion, his character, distinguished for the strictest probity is alone amply sufficient to exculpate him from every blemish.

With respect to the letter, which is said to have been written by Louis to La Fayette, in 1790, in which he is said to have requested him to concert measures with Mirabeau.

It appears, in the first place, that this was only a project, and that in fact there was no letter written.

But afterwards Mirabeau and La Fayette were the two most popular men of the nation ; they were both of them resolute for the constitution and liberty ; they had both of them a great ascendancy over the minds of the people. Louis desired them to concert measures together.—For what ?—*For the good of the state.* These are the terms of the letter ; where then is the crime ?

You have reproached him for his letter to General Bouillé of the 4th of September, the same year.

But.



But here Louis has not even to justify himself ; he has only followed the example of the representatives of the nation ; the representatives of the nation had decreed on the 3d of September, that Bouillé should be applauded *for having gloriously discharged his duty*. Louis himself wrote to him the day following, to encourage him to continue rendering the nation the same services ; how can we censure him for having thought and acted as the representatives of the nation themselves thought and acted ?

You have demanded of him an account of the collection made at the *Thuilleries*, the 28th of February, 1789.

But this collection was not the deed of Louis ; certain vague rumours had been the occasion of it ; certain men of an ardent zeal, thought his person in some danger ; and were rallied about him. Louis could not prevent their zeal, but he was eager at least to bridle it ; he himself made them lay down the arms which they carried with them, and he was the first to calm the anxiety under which the people had labored.

You have reproached him for his voyage to Varennes.

But Louis at the time explained the motives of it to the constituent assembly, and I refer, as he did, to the same motives.

You would have him give you an account of the blood shed the 19th of July, at the Champ-de-Mars.

Citizens, of all the reproaches, which you have offered him, that above all is one of those which weigh the most in his mind.

What !

What ! do you accuse him of the blood shed in the Champ-de-Mars ! Would you have that blood fall on him ! and have you then forgotten that at that cruel period, this unhappy prince was divested of the authority which he enjoyed ? Locked up in his palace, prisoner of the nation, without any communication abroad, under guard, what could he do ?

In fine, you have reproached him for having paid with the civil list certain libels, in order to pervert the public opinion, and support the cause of the emigrants.

I shall presently have occasion to speak of what respects those emigrants, and I shall find no difficulty in proving that Louis never had a design to support or favor their cause.

But as for the libels, I observe, in the first place, that they were not found with the administrator of the civil list, as you have been told the receipts of all the writings were ; that it was with his secretary, who is not even known to the king, and that we cannot naturally charge Louis for the abuse, which certain subalterns may make of their functions, or for the intentions which they may have shown.

But after all, if Louis had done, not to pervert opinion, but to corroborate it, what so many factious ones on their side did to misguide or corrupt it in their march, where would then be the crime ?

The nation has this day decreed the republic ; but this was not the form of government, which she then demanded ; the republicans, on the contrary, at that time were factious. They were so even in the month of last July, when the legislative assembly

assembly absolutely declared by a decree against this system.

The nation wished for the constitution. One then might, and even ought to write in support of it; Louis, as chief supreme of the government: as engaged to maintain, and as holding royalty from the constitution, was obliged to keep, or watch his trust; he might wish to influence the public opinion, by directing it; and if in the execution of those plans which were presented to him, and which he might have thought himself obliged to accept, they had betrayed his intentions, or abused his confidence; if they had spread without his knowledge, dangerous opinions; if they had attached the wise and useful of them, we should pity him, we should groan for the fate of kings; but we should not accuse him.

Citizens, here is the first period of your accusation.

I have just run over all the facts, which you ranked in it, and which you have imputed to Louis.

I have justified Louis in all these facts; and I have not yet pronounced the word, which alone would have effaced all the errors, all the faults of which he could have been guilty, had he been guilty of any; I have not said, that since all these facts, *he had accepted the constitution.*

This word, in fact, would have been sufficient to answer all.

The constitution was the new covenant of alliance between the nation and Louis.

This solemn covenant could not be agreed on without a reciprocal and absolute confidence.

There



There were then no more clouds between the people and the king.

The past no longer existed, all suspicions were dissipated, all dissensions appeased, all prejudices fled, in a word, all was forgotten or extinguished.

We can no more recal what preceded the constitution.

Let us now examine what followed it.

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## SECOND PART.

### FACTS POSTERIOUR TO THE CONSTITUTION.

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I here distinguish the Facts, which the act of accusation announces, into two parts.

The facts for which Louis was not responsible, and which only concern the agents, which the constitution itself had given him.

And those facts, which concern him personally.

I discard, in the first place, from my discussion, all the facts which fall under the responsibility of the ministry.

It would not be just, indeed, that Louis should become guarantee for the errors into which his ministers might fall, or for faults of which they might be guilty.

The constitution did not require this guarantee of him! she has, on the contrary created her ministers responsible, in order to free him from it. It is of them alone she has declared the nation would require an account of every thing transacted against her interests, or neglected to her detriment. It is on them alone she has declared her vengeance

vengeance should fall for incroachments on her safety or her laws. She has not leveled the same menaces at the king, she has announced to him no accusation, no penalty; she has besides, even by that, limited his power. The king can do nothing without his ministers; an order signed by him alone cannot be executed; it was necessary that the bond of the agent which he had chosen, should always be offered to the law; it is not surprising then, that the law should not render him responsible.

We then have no right at this day to accuse the king and his ministers together, of the same crimes.

Yet in casting a glance even on the ministerial facts, which the act of accusation announces, it is very easy to see, that the imputations of them have no foundation.

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FIRST PARAGRAPH.

FACTS, WHICH FALL UNDER THE RESPONSIBILITY  
OF THE MINISTERS.

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For instance, Louis has been reproached for not having informed the convention of Pilnitz, when it was known to all Europe.

But, in the first place, the convention of Pilnitz was a secret treaty between the emperor and the king of Prussia; the conditions of this treaty were but imperfectly known in Europe; there had been no positive communication made of it to the government; they had received no information respecting it, except by letters or notes of agents

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in foreign courts ; the state then had no occasion to make a law for the executive power to inform an assembly, all the deliberations of which were public, of a treaty which was not public.

But then this information, which the government could not give the assembly of a convention, concerning which, they had their doubts, he gave his diplomatic committee the very moment the news arrived. I appeal on this account to the registers of foreign affairs ; they ought to depose on this fact. They ought to attest, that the first pieces, which came to the government, relative to the convention of *Pilnitz*, were delivered to the diplomatic committee. They attest further, that in the period, in which the existence of this convention was uncertain, and in which, people believed that it would not take place, the diplomatic committee was already informed of it ; I myself have proofs of it. So the minister, to whom this pretended delay has been imputed, and who cannot this day justify himself, since he is not living, was undoubtedly free from reproach.

They have likewise reproached Louis on account of the commissaries sent to *Arles* ; they pretend these commissaries were employed more to favour the anti-revolutionists, than to repress them.

But, with regard to this, Louis in an examination, which he underwent, made an answer perfectly just.

He says, it is not by the acts of the commissaries, that the intentions of government are to be judged, but by the instructions, which they have received.

Y ou



You do not accuse these instructions; you therefore cannot accuse the government.

You have reproached Louis for having stopped a whole month, the envoy of the decree, which united *Avignon* and *le comtat Venaissin* to France.

Citizens, the legislative assembly offered the same reproach to their minister *Lessart*; that was one of the chief things alledged against him, and concerning which, the High National Court ought to pronounce. *Lessart* is no more! he perished the moment he had prepared his justification for Europe; he had himself declared, that this justification, for which he had toiled in the prison, where he was confined, should not leave the least cloud on his innocence. Can you, this day, renew an imputation against the memory of him, whom death has deprived of the power of exculpating himself?

You have likewise reproached Louis, for the troubles of *Nîmes*, the agitations of *Jales*, the conspiracy of *Dufaillant*.

But is Louis then to answer for all the disturbances, which so great a revolution must necessarily occasion? It is impossible in general, but there should be troubles in a country, where the form of government is changed; it would be peculiarly strange, if there were none in the south of France, where the minds naturally ardent, are easily led to any movements. They alledge, that Louis has favoured these troubles; they think that because the princes, his brothers, had connexions with *Dufaillant*, he likewise had some with him; but this opinion was an error. We may

may even judge of this error, by the pieces communicated to Louis ; for among other things in these pieces, we observe there is power given Du-faillant to borrow the sum of a hundred thousand crowns, in the name of the princes ; now we conceive that if Louis were disposed to protect any conspiracies, he would not have reduced the conspirators to the necessity of borrowing a sum so disproportionate to the expence which their projects ought to require ; and that he himself would have furnished them with ampler relief.

But, finally, in proportion as the knowledge of all the troubles of the south came to the government, he was eager to inform the National Assembly, and all the precautions, which she has desired, or intimated, have been taken to repress them ; the proof of that is in the result ; it is because these troubles have ceased for many months, and because the measures of government put a stop to them.

Some have wished, on account of the same troubles, to consider Louis as culpable for a letter, which Wiginsthein, commander of the south, had written him since he was recalled.

They supposed that Louis had employed him since that period.

But, in the first place, Louis could not hinder Wiginsthein from writing him a letter after he was recalled, and further, he has declared, that he had no remembrance of having received any, and that they wrote only according to a pretended register of this officer.

All that he could do was to give him no new employment after his recal, and indeed Wiginsthein has had none.

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They speak of the command of Corsica ; he has never had this command.

They speak likewise of an appointment in the army of the North ; and it is in fact, possible that La Fayette may have asked it. The project of the letter found in the war-office, seems even to indicate it ; but the fact is, this letter was never sent, and Wiginsthein, who tarried at Paris after he was recalled, till his death, was never employed afterwards.

Louis has been reproached for the accounts, which Narbonne gave the National Assembly, relative to the army.

I answer, that on leaving his ministry, the National Assembly decreed that Narbonne, alone responsible for all the acts of government, which concerned him, carried with him the esteem, and the regret of the nation.

He has been reproached for having destroyed the navy, and for having kept Bertrand the minister, notwithstanding the observations of the National Assembly to him.

I answer, that Bertrand the minister, has always refuted the charges brought against him, and that, so long as the National Assembly did not accuse him, Louis had a right to preserve his confidence.

He has been reproached for the misfortunes of the colonies.

Here, I think, he needs not my justification.

He has been reproached for the time in which he declared the first hostilities, which threatened us on the part of the Prussian army.

Louis



Louis himself, has informed in his examination, that he declared these hostilities to the National Assembly, the first moment he had certain knowledge of them, and the deposition of foreign affairs furnished a proof of them.

He has been reproached for surrendering Longwi and Verdun.

As for Longwi, I answer, the inhabitants delivered themselves up.

And as for Verdun—who had named this commander, so celebrated this day for his heroism, this Beaurepaire, who had rather die himself, than surrender, if it were not Louis?

He has been reproached for having suffered the French nation to be debased in different countries in Europe.

I have here only a word to say.

I request in behalf of Louis, that they would have recourse to the records of foreign affairs, and they will there see the most authentic proofs, that whenever it has been declared to the government, that there was an insult offered the French, in any court in Europe, the government immediately demanded reparation.

We have not time now to make these researches; but Louis declares there are proofs.

In fine, Louis has been reproached for having detained the Swiss-guards in spite of the constitution, which forbid him, and the assembly, which ordered their departure.

These are the facts which answer the imputation, and which totally refute it.

A decree of the constituent assembly, of the 17th of September, says, that the king shall be intreated

intreated incessantly to present the legislative body, a new formation of the heretofore regiment of Swiss-guards, according to the compact, or capitulation agreed on by the helvetic body.

And yet the National Assembly, considering that this regiment had merited well of the nation, by its conduct, had ordered that it should be continued on the ancient footing, till it should be determined otherwise respecting its destiny, and the mode of its service.

Agreeably to this decree, the Swiss-guards always continued in the same state.

The 15th of last July, the legislative assembly passed a decree, which ordains that the executive power shall be bound to dismiss within three days, the troops of the line in the garrison of Paris.

Another decree of the same day ordains, that the diplomatic committee shall make its report on the capitulations with the Swiss, and on the suppression of the charge of the Colonel-General of the Swiss.

On the 17th was a letter from D'Affry, relating to the orders, which had been given him to make the regiment of the Swiss-guards depart.

He appeals to the capitulations, which were not as yet abrogated.

A decree, which ordains that, provisionally, and until the report of the diplomatic committee should be produced, two battalions of this regiment shall be at the distance of thirty thousand fathoms (*toises*) from the capital.

D'Affry, placed among the helvetic capitulations, and the pleasure, which the assembly seemed

ed to manifest, on the 4th of August, addressed to the assembly some new observations on the mode of executing this decree.

The assembly passed to the order of the day.

The decree was executed.

Citizens, these are the facts concerning ministers.

Louis might have been dispensed from discussing them, on this account alone, that they were the facts of the ministers.

All these, facts, indeed, might be true, they might furnish matter of reproach, they might be accusable, but Louis could never be called to an account for them.

But in discussing them with the rapidity with which I was obliged to on account of the time, I have endeavored to convince the French people, that even in those things in which the nation had demanded no guarantees of him, Louis has ever conducted himself as if he were by law obliged to offer them one.

I now pass to the facts, which may be considered as respecting him.

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#### SECTION II.

##### FACTS RESPECTING LOUIS PERSONALLY.

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Hence, legislators, time urges me to press on.

I shall however answer all the reproaches made on Louis.

I shall here answer to the truth with greater rapidity, and less details, than if I were free from all the combinations necessary for a defence which contains



contains so many different heads ; but I shall here answer in such a manner as to refute them.

I must repeat it, the councils of Louis have not thought on them, they have only thought on Louis.

We well know that in a cause concerning which, all Europe is at this day anxious, and which being brought before the representatives of a nation, which for her triumphs has become the astonishment of all others, offered so high a subject to all the movements of the soul, that it would have deserved a discussion, if I may so say, as great as the cause itself. But we wish to enlighten the people, to bring them back, and dissipate the prejudices, which they have imbibed ; we wish to convince them by facts alone, and the laying aside of all oratorical movements, is another sacrifice, which we make Louis ; and Europe herself will, undoubtedly give us credit for it.

In the first place, Louis has been impeached for refusing to sanction the decree of the camp of Paris, and that of the priests.

I might, without doubt, observe that the constitution leaves the king absolutely free in his sanction, and that provided Louis should be deceived in the motives, which led him to refuse to sanction the decree of the camp, near Paris, we have no right to call him to an account for his error, and much less have we a right to consider it as a crime in him.

But discarding this reflection, and supposing, that in reality it was an error, I answer, that after all, his refusal would have been the result  
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of wise motives. He was afraid of exciting troubles ; the decree gave alarms to the National Guard ; the opinions of the Capital were divided ; a great part of these opinions seemed to justify the decree ; while it was likewise combated by a great part ; even the council were not unanimous. In the midst of these agitations, Louis thought it prudent to refuse the sanction they requested ; but at the same time he determined on a measure, which had the same advantages as the decree, without the disadvantages of it. He formed the camp of Soissons, and, as it has happened, this combination has become for the nation ; for the camp of Soissons, while that of Paris has been useless, has been of great service to the French army.

With respect to the decree of the priests, citizens, we cannot force conscience. Louis was afraid of wounding his own by sanctioning it ; he might, without doubt, be wrong, but even his error was virtuous, and if we blame him for it, it is impossible not to respect the principle whence it proceeded.

Recal to your minds that remarkable day, the 20th of June, and see with what courage Louis adhered to his opinion ! How many princes would have started at such threatening appearances of danger ! Well, Louis was influenced by his conscience, not by fear ; he continued to resist ; and if any thing could justify him in the eyes of those, who were the most disposed to censure him, I dare say, it was his perseverance in refusing.

Further, think not that Louis was singular in  
his

his opinion concerning the decree of the priests, and that no minister of his council was of the same sentiments; the minister, *Morgues* wrote to him the same day, the 20th of June, that the decree was *neither according to his principles, nor according to his heart.*

In opposition to Louis, with respect to the priests, it is said, a memorial was sent him from Rome, in which it appeared that the pope claimed his rights over Avignon, and those of the holy see.

But how could Louis hinder the pope from sending him a memorial; and where, on his part, would be the crime in receiving it?

He has met with equal opposition on account of a letter, which he wrote, in 1791, to the bishop of Clermont, in which he declares himself ready to establish the catholic worship, when it shall be in his power.

But that is only a religious opinion, and, of consequence, a free opinion; this liberty is given in the constitution; the civil constitution of the clergy, on the contrary, is not contained in that; it has been withdrawn from that, or rather, it has never constituted a part of it, and Louis wrote before he had received the constitution.

Besides, Louis received the constitution without believing it exempt from errors; he even said, when he received it, that he hoped for amendments; but he was far from hoping for amendments with the intention of destroying or overturning it.

Louis has been reproached for having kept his guard in pay, when the assembly had ordered them to be disbanded.

Here,



Here, citizens, many answers arise.

In the first place, we cannot deny that Louis had a right to refuse his sanction to the decree, which declared that his guard should be disbanded, since he held this guard from the constitution, and it could not be taken from him, except with his approbation; yet the National Assembly ordered it to be disbanded.

But as the decree of disbanding left Louis the liberty of renewing this guard, and of re-composing it, in part, of the same subjects, it was very necessary that, till this re-composition should be effected, Louis should continue their wages.

It was, at the same time, an act of humanity, and of justice.

In the first place, it was due from Louis on account of those, who could and ought to re-enter.

It was then due from him on account of the others, since these others were not tried.

Besides, he did not do it clandestinely; but by a public decree.

It is said, that among these guards some were distinguished by their *incivisme*.

But, in the first place, nothing has, in this respect, been said personally and positively.

Secondly, we cannot believe them culpable, since they were not brought to trial.

Lastly, those, who might have been convicted of *incivisme* in the eyes of Louis, would not have been enrolled again; but it would have been barbarity in Louis to refuse them that assistance, for which necessity was so pressing.

They have reproached Louis also for having given the emigrants assistance.

They

They have reproached him for correspondence with his brothers.

They have reproached him for having sought, by means of his ambassadors, to favor the coalition of foreign powers against France.

Finally, he has been reproached for his influence at the court of Vienna.

Legislators, I take these facts all together, because they are all ranked under the same head of accusation; and I shall answer.

At first, I ought to observe that, in all public acts of government, Louis has uniformly witnessed the strongest opposition to emigration, and that he has ever combated it, not only by all his national proclamations, but by all his correspondence with foreigners.

With regard to this, I appeal to the registers of foreign affairs, and to those of the council; we have not time to extract from them, but they must contain a multitude of examples.

I can always cite from them a fact, which is very remarkable, and of which foreign affairs have furnished a proof.

In the month of November, 1791, the emigrants were desirous of purchasing some cannons, and other ammunitions of war, but the inhabitants of Francfort would not let them have any.

Louis was informed of it by his resident.

He wrote immediately to this resident, by his minister, to give him orders to thank, on his part, the magistrate of Francfort, for the wise conduct he had manifested on this occasion, and to request him to redouble his precautions and vigilance, in order to hinder the emigrants from procuring

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arms

arms and ammunitions at Francfort, as they had endeavored.

So much for the public acts.

Now, has he had any private ones ?

They speak of assistance by money.

Citizens, there has not been a single emigrant, a single true emigrant, to whom Louis has given any pecuniary assistance.

He has maintained his nephews since their father was not in a condition to maintain them himself.

But, where is the man, who would dare make a crime of that ?

In the first place, one of his nephews was but eleven years old, and the other fourteen, when their father left France ; and can one consider as emigrants, children of this age, who follow their father ?

In the second place, there was no law, at that time, which fixed the age relative to emigration ; the convention has just made one ; but this law, which the convention has just made, was not in existence then.

In the third place, since the decree, which declared the goods of emigrants confiscated to the nation, and which, of consequence, involved all those of their father, the nephews of Louis were without resource ; and they were his nephews.

Could he not experience the tender feelings of nature, and obey her commands ? And, because he was king, must he cease to be parent, or even to be man ?

He has made some particular gifts to the governesses of his children ; but this governess of his children



children has been gone from France ever since 1789.

He has made some to one of his favorites, who had brought him up from his youth, Choiseuil-Beaupré ; but Choiseuil had retired into Italy since the commencement of the revolution, and has never taken up arms against France. \*

He has made some to Rochefort, as is cited in the act of accusation ; but Rochefort has not emigrated.

He conveyed to Bouillé a large sum of money ; but it was for the journey of Montmédy.

He has been reproached for a gift made to Hamilton ; but it was due to him in justice, to indemnify him for all losses, which he had sustained in this Montmédy journey, and which by reason of his situation, it was impossible to support.

It is said that Bouillé has remitted to Monsieur, by order of Louis, a sum of six hundred thousand livres, and upwards, which he held from him.

But it is a phrase purely amphibological, which has given place to this imputation.

The account sent by Bouillé has these words : *remitted to Monsieur, the brother of the king, by his order.*

This is evidently Monsieur's order, who, indeed gave orders abroad, even commissions under the name of the king, and not that of Louis, and the

\* We forgot to mention la Vauguion, who is cited in the act of accusation, but la Vauguion was likewise a favorite of Louis's, and he had been gone to Spain ever since the first moments of the revolution.

the mistake has happened only from this quality of brother of the king, which has been added to the name of Monsieur; but the truth is, and, if those pieces had been communicated to us, which ought to have accompanied the account, which Bouillé sent, and among which Monsieur's order ought necessarily to have been found, we should have had authentic proof of it; the truth, I say, is, and Louis affirms the same, that he had never helped Monsieur to any pecuniary assistance.

All he has done has been to pay an ancient debt of his other brother's, of 400,000 livres; but as for this debt, Louis was bound for him, and, without doubt, we shall not be astonished that he did not violate his engagement. \*

His being bail for the books in 1789, of which they have not hesitated to make a crime in him, for they dispute even his most innocent movements, was also an act of beneficence, and had for its object the promotion and support of this commerce.

Thus, all these instances of liberality, for which he has been reproached, do honor to his heart, and there is no one, which can induce us to suspect his principles.

They have reproached him for having influenced the court of Vienna; and, in order to prove it,

\* Explicative note, posterior to the compilation. *Many debts of Phillip D'Artois were to be discharged from the public treasury. Savalette Delaage had advanced to a creditor, the sum of 400,000 livres, and Louis was bound for him. It is of this obligation we speak; so the sum has been paid to a creditor in France, and, of consequence has nothing to do with emigration,*

it, they cite a letter from Dumoutier to Monsieur, and Dumoutier seems to introduce Breteuil, as having some influence at the court of Vienna, at which he supposes, at the same time, that Breteuil could know the pleasure of the king.

But, in the first place, this was only a letter from Dumoutier, and Dumoutier was truly the agent of foreign powers, but not the agent of Louis. His opinion, therefore, can be of no weight.

In the second place, even this opinion is no proof of the existence of the fact, of which Dumoutier speaks, that is, that Breteuil in reality knew the opinion of the king.

And finally, although we should even consider the allegation of Dumoutier, as a proof of this strange fact, where is the proof that it is so very necessary to report also, that this pleasure of the king, which they do not explain, should be a pleasure of such nature as to be accused?

They likewise mention a letter from Toulougeon, written at the moment when he was preparing to make a journey to Vienna, in which they pretend that he said, *the king had been pleased to inform him that he approved his conduct.*

I might observe, in the first place, that this letter from Toulougeon appeared exceedingly suspicious; for there is mention made in it of one Valery, nephew of Toulougeon, Lieutenant-Colonel, but it is certain, that Valery is only cousin of Toulougeon, not his nephew, neither is he Lieutenant-Colonel.

Now, could Toulougeon be so deceived about his family?

E. 2.

But:



But I admit the allegation of the letter, such as it is ; what results from it ?

Where is the proof, that Louis has really approved the conduct of Toulangeon ?

Can he be accused on an assertion, which is so foreign to him ?

And does not the falsity of the assertion sufficiently appear from itself, when it is observed, that it is to the princes, the brothers of Louis, that Toulangeon wrote that Louis had informed him, that he approved his conduct, and that in a fact so important, since it concerns the intentions or the pleasure of Louis, it neither gives these princes any information, nor any proof ?

Besides, what do all these accusations, the basis of which is taken in these letters, lead to ? They judge of them by a single example.

They bring against Louis a letter from Choiseul-Gouffier, by which it appears, that Choiseul-Gouffier was employed in cementing the alliance of Turkey with Austria ; and they thought that, because Choiseul had been an ambassador from Louis, they might impute to Louis the projects of Choiseul himself.

But, in order to answer this imputation, I only wish for the same letter from Choiseul.

This letter proves, indeed, two things ; the first is, that for two months before his recall, Choiseul-Gouffier had offered his services to the princes, and had received no answer.

The first passage begins thus :

“ Although I have not received from your royal highnesses, the orders, *which I had presumed to solicit*, two months ago, I hope you will receive,  
“ with

“with kindness, the homage of my dedication,  
“and unalterable fidelity.”

The second is, that three days after his recal, and ever on account of his recal, Choiseul-Gouffier had determined to repeat the offer of his services to the princes, and to form projects against the national ambassador, who had been nominated to replace him.

The proof of it is in this passage.

“I received, three days ago, the letters of my  
“recal; they inform me, that I am replaced by  
“M. de Semonville, so the projects of this na-  
“tional ambassador are not doubtful—and your  
“royal highnesses are too enlightened not to per-  
“ceive the fatal inconvenience of the negocia-  
“tion with which he was entrusted.”

So it was Choiseul, who wrote, who acted; who, recalled by Louis, offered his services to the princes; who exerted himself to keep his place notwithstanding his recal, and it is Louis whom they accuse!

Finally, they bring against Louis a bill without date, as they say, written by the hand of Monsieur in the name of the two brothers, and which, they affirm, was found among his papers.

Louis has declared that he could neither avow, nor contest the authenticity of this billet.

But, firstly, this billet is an act of his brothers, not of him.

Secondly, this billet evidently proves that Louis was not in correspondence with them; for he neither supposes news received before, nor the answer, which is expected after.

Thirdly and lastly, the last passage clearly bears

bears date for the period of the suspension of Louis in 1791; and, as we well see, this date alone would be sufficient to prevent drawing any conclusion from it.

Finally, I do not stop at this imputation of *considerable trade*, which they have not feared to make on Louis, and of which they pretend the papers of Septeuil furnish a proof.

You have yourselves rendered him justice; you have not made of it the chief of your accusation; you have only made a question of it; but when you put this question to Louis, he must have expressed his astonishment at it.

The circumstance, which have served for the basis of this shocking imputation is, in fact, extremely simple.

Louis, like all his predecessors, had a particular sum, which he devoted to acts of beneficence.

In 1790 he entrusted Septeuil with it before he was treasurer of the civil list.

Septeuil, who wished not to be suspected of having personally profited by it, placed it, at first, for some time, in effects at Paris, and afterwards in letters of exchange upon Paris, and abroad.

In the mean time, he gave an account of it to Louis; or payed the sums for which Louis gave orders.

Those are the facts; Louis affirms that they are exact, and there is nothing in the papers of Septeuil, which contradicts them.

All, that these papers present, is a speculation, which it appears that Septeuil, who had considerable funds in possession, had made in the month of last March, for his own profit, by goods bought  
and



and sold among foreigners.

But Septeuil, in a declaration, which he has made public, explains this speculation, avows that not only it concerned him alone, but that there was a particular register, kept for the funds of Louis, which ought also to be found among his papers, but of which we have had no account, and which points out the use of these funds.

I shall no longer detain myself about these pretended companies of anti-revolutionists, which, some suppose, Louis maintained in Paris, and whose business, say they, was to effect certain movements, capable of serving his purposes.

Louis has never descended to similar details.

He has never, as he himself has declared to you, had any counter-revolutional plans.

The ministers desired to know the state of Paris.

They accordingly had observers.

It was their request that these observers should give them an account of the opinions and movements.

They have recompensed some useful journals; but these were the ministers, not Louis; and besides, the ministers themselves have had, in these cares which they thought incumbent on them, only some constitutional views.

I come to the reproach of suborning many members of the legislative assembly.

Louis has been accused for having endeavored, by corrupt methods, to make certain decrees pass relative to the liquidation of the charges of his house, and of the pensions of his civil list.

Legislators,

Legislators, I will venture to say, you yourselves have not believed it.

You have not believed that there was a single member of the legislative assembly, capable of selling himself to corruption, nor that Louis could exhibit an instance of it.

And what interest could Louis then have here ?

The liquidation of the charges of his house had been estimated, in the constituent assembly, by Montesquieu at thirty millions.

It has been estimated, in the legislative assembly, by Cambon, at the same sum.

The administrator of the civil list likewise carried it on his side at thirty millions ; but he went on another plan, it was his will that the officers of the king's house, who should be continued, should lodge ten millions in the national treasury, by way of security, the interest of which should be paid by the civil list, and that the liquidation should be reduced to twenty.

This plan had been adopted likewise by the commissaries.

It was also proposed that it should be agreed to by the National Assembly.

But what was there, of such utility, that one should refer to corruption in order to obtain success ?

He reduced the liquidation of the charges of Louis's house ten millions.

He eased the National sum by ten millions.

He charged the civil list with the interest of this sum.

Where then was the advantage which they found for the finances of Louis ?

They

They speak of a sum of fifty thousand livres, which, as they say, the commissaries demanded; but this sum was not for his own case; it was to defray the expenses of the offices which required a liquidation so considerable.

In respect of the liquidations of the pensions, it appears that the project of the decree was to divide these pensions into three classes.

As for the pensions for service in the military house; they were submitted to the liquidation.

All pensions, granted by Louis's predecessors, for service, in his own house, were equally submitted to the liquidation.

And as for those granted by Louis himself, for his own house, or by the late queen, they have sent back the incumbents to be provided for on the civil list.

It is, say they, on account of this project of the decree, which cleared the civil list of a great number of pensions, which respected him, that they suppose there had, in reality, been corruption, and to prove this corruption, they mention a letter from the administrator of the civil list, written, as they likewise say, to Septeuil, and in which he said that this decree would cost fifteen hundred thousand livres, and that he must have the sum the next day.

I might ask, in the first place, if this letter were sincere, if it were truly written by the administrator of the civil list, and if, in reality, it were he who addressed it to Septeuil.

I might ask this administrator, not being alive, if we can argue from a letter, whose authenticity was not ascertained before his death; if we can interpret



interpret against his memory the sense of a phrase, which, were he alive, he himself perhaps would explain; if, finally, this be a proof, that he has been under the influence of corruption.

I might ask—but why considerations of this kind, when I can answer in a single word?

The fact is, that from the same pieces, which have been communicated to Louis, it appears, that it was he alone, who hindered this project of a decree from being submitted to the National Assembly, and examined.\*

Now, can we believe that, if he had permitted culpable works to be done, he would also have hindered them from being done?

What, then, was the motive, which could have induced him to solicit, by intrigues, a similar decree?

I speak not of his character, which is repugnant to every dastardly measure.

I speak not of the members of the assembly, who were very incapable of joining with him.

I speak of his interest; where was it?

If, indeed, he wished to disengage himself from the pensions, which were on his civil list, who hindered him from it? He could refuse to pay them.

And can we believe that Louis would not have chosen this measure, in preference to the other?

Can we believe that he would not have preferred a voluntary act, rather than recur to a method, which was of such nature as to expose him?

Is

\* *The same pieces prove that Louis was angry at it.*

Is not the man, who is capable of exercising a criminal corruption, which may injure him, still vastly more capable of an unjust refusal, which is not dangerous for him?

In a word, I conceive the corruption, which turns to the profit of personal interest; unhappily the human heart furnishes a proof of it. But a corruption, which leaves us all the meanness with which it contaminates us, and whose advantage is altogether for others, I acknowledge that it is impossible to have any idea of it.

Another imputation has likewise been made on Louis, which, the first moment it was known, must have excited great fermentation among the people, and to him must have appeared very important.

They accused him of having always continued to pay his life-guards at Coblentz.

In examining this imputation, legislators, I ought not to hesitate to declare to you, that it has made on me the most grievous impression. Before I became the defender of Louis, I had dared to suspect his honesty; I acknowledge I had doubts of his intentions; the proof appeared so strong, the pieces so manifest, the result from them so evident, that it was impossible for me to conciliate the opinion, which I wished to have, with that, which I found myself obliged to have. But now I confess my error. The defence of Louis has convinced me; and I here come, in the eyes of France, to make the solemn reparation, which I owe him.

One single, but decisive word unfolds this imputation.

Surely, no one of you has forgotten that all

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the pieces, which have been printed, the letter from Poix to Louis, the memorial, which he addressed to him, the letter from Coblenz, the nominative states of the life-guards; that all these pieces refer to the month of October, 1791, and even the letter from Coblenz bears this date.

Well, here is what the administrator of the civil list wrote to the treasurer of the same list, the 24th of November following.

"The intention of the king, Sir, is to continue to the officers and guards of four companies of his life-guards, their actual service, till he has pronounced decisively on their fate; but his majesty wishes that the amount of these services should no more be delivered together to the State-Major; and that hereafter every individual officer, or guard, shall be paid from the money of the civil list, on his receipt, or power of attorney, accompanied with a certificate of his residence in the kingdom. His Majesty has charged me also to send you his orders."

On account of the officers, and others employed of the heretofore regiment of the French guards, to which he continues their service.

Further, I inform you that his majesty has ordered to stop reckoning, from the first of last July, the pay of all expences whatever, relative to the companies of the life-guards, except those of continued services, and of the subsistence of horses.

I need not stop for such a text.

You see it dissipates every trace of this imputation, of which Louis has been the unhappy victim.

Yet, to how many cruel reflections has this circumstance given rise!

All



All the pieces, which form the basis of this imputation, have been spread over the world; they have accused Louis for this fact to all France; they have accused him to Europe, and the piece which alone would be sufficient to justify him, remains unknown!

Further, the papers of the administrator of the civil list, have been seized; the original of the order, which Louis had given him, and which he himself sent to Septeuil, must have been among these papers; this was his title, and his guarantee. He could not avoid keeping it; and yet, by the strangest fatality, we find every thing in these papers but that order.

Happy for Louis that he recollects the date of it, that he recollects the letter, which he had directed the administrator of the civil list to write Septeuil, that he has made a search for this letter in his bureaux, that he has caused an authentic copy of it to be delivered, and that he can, this day, produce it in the eyes of Europe.

Judge now, citizens, by the character of this imputation, of all others.

Judge what advantage it would have been to Louis if they had neither seized, nor taken away his papers in the invasion of his dwelling, if he himself had assisted at the examination of them, if he might have claimed the pieces, which must necessarily have been found among those, which were brought against him; especially, if he might have brought those against them, of which his memory has no information!

Judge, with what force, he would have answered all, for which you have reproached him, since he has answered without these pieces; what satisfactory

factory explanations he would have given you, with what light he would have cleared these dark accusations, which have no consistency except from the shades in which they are enveloped.

Judge then, how we his defenders ought to regret, that we have been deprived of an assistance, which would have furnished us with resources of such powerful conviction; judge of the hopes, which we might have entertained even by the means of our deprivation; judge what it must have cost our heart, in so memorable a cause, the want of time, of communication, of researches, the weakness of our efforts, the excess even of our zeal, and how mortifying it is to find ourselves obliged, in some sort, to be answerable to Europe for the destiny of Louis, and to perceive that the grandeur alone of this incumbent function was precisely the same obstacle, which most hindered from doing it well.

I retrace to you our grief, citizens, and it is in delivering myself before you to this profound sentiment, which I feel, that I arrive at last at that disastrous day, the 10th of August, which should be in fact, as has been said, on the part of Louis, the greatest of crimes, if it were true that he had, at this dreadful period, the atrocious intentions, which have been imputed to him.

Representatives of the people, I entreat you not to consider, at this moment, the defenders of Louis, as defenders only. We have a conscience, we also constitute a part of the people; we feel all that they feel; we experience all that they experience; we will whatever they will; we are citizens, we are Frenchmen; we have wept with the people, and we still weep as they do over all the blood,

blood, which was shed on the 10th of August ; and if we had believed Louis capable of such inconceivable events, as occasioned this effusion of blood, you would not see us this day with him at your bar, lend him, shall I venture to say, lend him the assistance of our courageous truth.

But Louis is accused, he is accused of the most horrible crimes, he ought, therefore, to justify himself in your eyes, in those of France, and in those of Europe. He must then be heard, we must lay aside all the opinions, which we have already formed, all prejudices, all hatred ; he must be heard by you, as if you were utter strangers to this scene of desolation, which, it is very expedient, I retrace to you, at least, in picture. You owe it, since you are created his judges. Legislators, all your success since that day, which you have pronounced immortal, would permit you to be generous ; I only request you to be just.

Recal to your minds the 20th of June, the refusal of Louis to grant the request of the armed multitude, which had penetrated into his castle, and his perseverance in refusing. The multitude already incensed, were still more exasperated at this refusal ; that resentment was made use of, fortified, kept alive ; new prejudices are instilled into the minds of the populace ; they sowed variance and conspiracies ; they supposed a party formed to take away the person of Louis, and transport it without the capital ; they supposed that there were in this party vast resources ; they speak of preparations, of arsenals, of military clothes ; denunciations are made to the municipality, they are multiplied ; the fermentation



only increases. The month of July passed thus in agitation and storms.

Meanwhile, Louis was employed in calming them. He thought, at first, through wisdom, to let these reports of preparations and arsenals fall. The firmness which they acquired, taught him, at length, that it would be dangerous to be regardless of them. He felt the need of encouraging the people respecting their chimerical inquietude. He then offered himself to inquiries. He wrote, the 26th of July, to the mayor of Paris; he requested him to come and make a search of the castle. He gave orders that the gates should be opened to the mayor. The mayor answered, that he should leave the search to the municipal officers. The search was not made. Louis wrote to the National Assembly. He informs them of his troubles; he gave an account of his letter to the mayor, and of the answer. The assembly pronounced nothing.

In the mean time, the effervescence increased by the very precautions, which he had taken to assuage it; the same disturbances are renewed; the denunciations to the municipality recommence; the fermentation of their minds increases; they speak of nothing but deposing Louis; they demand it, they provoke to it; the commissaries of the sections assemble; an address is presented to the National Assembly, the 3d of August, by these commissaries, the mayor at the head, to request the representatives of the nation to grant the deposing of Louis, agreeably to the wishes of the people; immediately they solicit more openly; they wish either to obtain or force it; they fix on the day in which, they declare, it must be

be pronounced ; they affirm that if it be not pronounced in the session of the 9th or 10th, the alarum-bell shall sound, the 10th at midnight, that they shall beat to arms, and that an insurrection of the people will take place.

From the first days of August, Louis plainly perceived that his situation was become more critical ; he saw the movements of their minds ; they gave him an account every day of the opinions of the capital. They informed him of the progress of the agitations ; he feared some error of the multitude ; he was afraid of an invasion on his dwelling ; he began to take some defensive precautions ; he encompassed himself with the national guard ; he placed some Swiss in his castle ; he kept up a correspondence still more exact with the popular authorities ; finally, he neglected no measures of prudence, with which the events, and kind of danger, which he believed to prevail, could inspire him.

The 9th of August arrived ; alarms more lively still are excited in the mind of Louis ; they tell him of collections ; they declare to him preparations ; they make him to fear for the same night. Louis then redoubles his precautions ; the number of national guards which ought to watch in the castle is augmented ; the Swiss are put on foot ; the constituted authorities are called. Louis calls the district around him ; he calls the municipal officers ; he encircles himself with the assistance, and the presence of all the magistrates, which could have the greatest ascendant or power over the minds of the people. These magistrates requested, in the name of the law, the national guards, and the Swiss, not to force the castle.

castle. He then gave orders as the circumstances of the occasion rendered necessary. The mayor himself visited the posts.

Immediately the alarum-bell rings, the drum is beaten, the people run. Some hours pass in an agitation without effect; towards morning the march of the people begins; they move towards the Thuilleries; they go armed. Some cannons follow them; the cannons are leveled towards the gates of the castle; the people are there.

The procurer-general-syndic of the department of Paris, then advances, attended by the municipal officers; these officers speak to the multitude; they represent to the multitude that, collected together in so large a number, they had put it out of their own power to present a petition either to Louis or to the National Assembly. They invite them to name twenty petitioners; but the invitation has no effect.

During this time the collection augments, an immense throng resort to the square *du Carrousel*. The movement becomes stronger; the danger increases. The magistrates of the people, informed of this, again appear before the troops. The procurer-general-syndic reads to them the fifth article of the law of the 3d of October; he entreats them to defend the dwelling of Louis, whose authority was *constituted*. He gives them, no doubt with regret, the order of repelling force by force; but he gives it. The gunners, for every answer, discharge their cannons before him.

The procurer-general-syndic immediately enters the castle; he informs Louis of the imminent danger; he acquaints him that he has no assistance to expect. Louis, who had already, some hours before,



before, sent his ministers to the National Assembly, to request the assistance of a deputation, again mentioned the situation in which he found himself; the National Assembly pronounced nothing.

The procurer-general-syndic and two other members of the department, then invite Louis to repair to the National Assembly; they engage him to resort thither with his family; they make him feel the necessity of it. Louis goes to the Assembly. An hour after our misfortunes began.

Citizens, those are the facts.

Those are such as were positively known, incontestably proved in all publications, collected in the verbal process of the National Assembly, in a word, deposited every where.

I have added nothing; I have only complied with the duty of my defence in recalling to your minds those dismal details, and you well see by the rapidity, with which I have run over them, how much it costs me to retrace them.

But, after all, those are the facts!

Now, ye just men, forget, if possible, the horrid results of this bloody day; with me seek only the causes of those results, and tell me, where is then the crime, which you impute to Louis?

This crime can only consist in what followed, or in what preceded the retreat of Louis to the National Assembly.

Now, I say, in the first place, the crime cannot consist in what *followed* the retreat of Louis to the National Assembly; for since the time of this retreat, Louis has seen nothing, said nothing, done nothing, decreed nothing, and he has gone from the asylum which he had voluntarily chosen, only that he might enter the prison where he  
has

has ever since continued.

What brought on the combat? I am utterly ignorant of it; history itself, perhaps, will be ignorant of it; but Louis, at least, cannot answer for it.

Was the crime in what preceded the retreat of Louis to the National Assembly?

But what are the circumstances, which you have spoken of hostile intentions on the part of Louis.

But where was the proof of these intentions? What are the facts, which you mention? What are the acts?

It has been vaguely reported, that a conspiracy was formed to arrest the person of Louis, and transport it without the capital.

But where is this conspiracy? Where is the least trace of it? Where is the proof of it?

You have spoken of preparations.

I, indeed, plainly see preparations of defence on the part of Louis; but where are the preparations for an invasion? What has Louis done to be convicted of an aggression? Where is his first movement? Where is his first act?

You have reproached him for having still kept some Swiss guards at this period.

Citizens, I read in the verbal process of the National Assembly, of the 4th of August, that a member had proposed to decree that, in giving the Swiss all possible testimony of satisfaction and acknowledgment, the king should have no more of the Swiss regiment for his guard.

I there read that many members insist, in order that the Assembly, in determining the recompense of the Swiss, declare that they have merited well of

of the country, and decree that those, who shall continue at Paris, shall do the service of the king's guard only on request of the constituted authorities.

There was no one of these propositions decreed.

Louis then rested on the terms of the decree, of the 15th of September, of the constituent assembly, which ordained that, till the capitulations should be renewed, the Swifs should keep their appointment and mode of service.

Louis then had a right to the Swifs.

He has been reproached for having spent the morning in reviewing the troops.

But reproach the mayor also for having survey-ed the posts.

Louis was a constituted authority, and therefore had the right of defending his dwelling; he was obliged to give an account of his safety to the law; how then could they reproach him for having taken such precautions as were necessary to secure it?

They have just made it a crime in him to have placed some troops in his castle.

But must he then suffer himself to be forced by the multitude? Must he yield to violence? And was not the power, which he held from the constitution, in his hands a trust which the law enjoined upon him to keep untouched?

Citizens, if, at this moment, it should be told you that, a multitude seduced and armed, were marching towards you; that, without respect for your sacred character, as legislators, they intended to wrest you from this sanctuary, what would you do?

They have imputed to Louis certain fatal designs of aggression.

Citizens,



Citizens, here needs only a word to justify him.

Is he an aggressor, who, obliged to wrestle against a multitude, is the first to encompass himself with popular authorities; calls the department, claims the municipality, and goes so far as to ask even of the assembly, whose presence might, perhaps, have prevented the disasters which have happened.

Is this willing the misfortune of the people, when, in order to resist their movements, they only oppose to them their own defenders?

But what say I here of aggressions, and why rest so long the weight of this terrible accusation on the head of Louis?

I very well know they say, Louis himself excited the insurrection of the people, in order to accomplish the plans, which were imputed to him.

And who then is, at this day, ignorant that, long before the 10th of August, they had prepared this day, meditated on it, nourished it in silence, thought they felt the necessity of an insurrection against Louis; that this insurrection had its agents, promoters, cabinet, directory?

Where is the man, who is ignorant that plans have been laid, leagues formed, treaties signed?

Who is ignorant that every thing has been conducted, arranged, executed for the accomplishment of the great design, which ought to procure France the destiny, which she enjoys?

Those, legislators, are facts, which cannot be disavowed; they are public; they have resounded from one end of France to the other; they took place in the midst of you; in this very hall, where I speak, the glory of the 10th of August has been disputed. I come not to contest the glory  
with

with those, who have decreed it ; my business is not to attack the motives of the insurrection, nor the effects of it ; I only say that, since the insurrection has taken place, and long before the 10th of August, it is certain, it is avowed, it is impossible that Louis should be the aggressor.

You accuse him however.

You reproach him for the effusion of blood.

You wish this blood to cry vengeance upon him ! —

Upon him, who, at the very time, came to confide in the National Assembly only to prevent this bloodshed !

Upon him, who, during his life, has never given a bloody order !

Upon him, who, the 6th of October, at Versailles, hindered his own life-guards from defending him !

Upon him, who, at Varennes, chose to return captive, rather than expose the life of a single man !

Upon him, who, the 20th of June, refused all the assistance, which was offered him, and chose to remain alone in the midst of the people !

You impute the bloodshed to him. Ah ! he groans, as well as you, for the fatal catastrophe, which occasioned it ; that is his deepest wound ; it is his most dreadful despair ; he well knows he was not the author of it, but that he has, perhaps, been the dismal occasion of it ; he will ever be inconsolable.

And it is he, whom you accuse !

Frenchmen, what is then become of that national character, that character, which distinguished

guished your antient manners, that character of grandeur and of loyalty?

Would you add your power to the misfortune of a man, who has had the courage to confide in the representatives of the nation?

Would you then have no more respect for the sacred rights of asylum? Would you think that no pity was due to the excess of misfortune? And would you not regard a king, who ceases to be such, as a victim sufficiently distinguished for his fate, to think it impossible for you to add to the misery of his destiny.

Frenchmen, the revolution which regenerates you, has developed in you some noble virtues; but fear lest it have weakened in your souls the sentiment of humanity, without which there can only be false ones.

Hear beforehand the history which fame shall repeat.

Louis was seated on the throne at twenty years of age; and at twenty he gave, on the throne, an example of morals; he carried there no culpable weakness, no vitiated passion; he was economical, just, severe; he there ever appeared the constant friend of the people. The people desired the destruction of a disastrous impost, which hung heavy on them; he destroyed it; they demanded the abolition of slavery, he began by abolishing it in his own house. The people solicited for a reformation in the criminal legislation, for the mitigation of the fate of the accused; he made a reformation. The people requested that some thousands of Frenchmen, whom the rigor of our usages had, till then, deprived of the rights of citizens, might again be restored to those rights;



rights; he granted their request; *the people wished for liberty, he gave it to them*; \* he even comes before them by his sacrifices, and yet it is in the name of this same people that they, this day, demand  
 —Citizens, I pause— I wait for history; think that she will be the judge of your judgment, and that her judgment will be that of ages.

Signed, Louis; Deseze, Lamoignon-Malesherbes, Tronchet.

My defence has just been made before you; I will not renew it. In speaking to you, perhaps, for the last time, I declare to you, that my conscience reproaches me for nothing, and that my defenders have said nothing but the truth.

I have never feared to have my conduct publicly examined; but my heart is rent to find, in the act of accusation, the imputation of having desired the bloodshed of the people, and especially, that the misfortunes of the 10th of August, have been attributed to me.

I avow, that the multiplied proofs, which I have

*\* This phrase having been pronounced by the defender of Louis, and since erased from the manuscript, the National Convention have directed it to be restored.*

Note of the defender of Louis. One of us had erased this phrase from the manuscript, even out of respect to the convention, and because it had excited murmurs among the tribunes; but this retrenchment having become the matter of a decree, we consider ourselves under obligations to declare, that by the word gave (*donna*) we had no other intention, than that of recalling to the minds of the people, that Louis had prepared liberty for France, by the convocation of the States-General, which he had ordained, and the decree of the nation on the 4th of August, 1789, which proclaimed Louis the restorer of the French liberty, had itself inspired us with this movement.

have given, on all occasions, of my love for the people, and the manner, in which I have ever conducted myself, appear to me abundantly sufficient to prove, that I little feared to *expose myself to spare their blood*, and to keep forever from me such an imputation. Signed, Louis.

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We, the underwritten, secretaries of the National Convention, intrusted, by a decree of the 26th of December, the present month, with the correction of the proof, of the discourse delivered the same day, at the bar of the National Convention, by citizen Deseze, for the defence of Louis, certify, that we have read the proof-copy of this discourse, and have compared it word for word, in presence of Citizen Deseze, with the manuscript copy, which by him was deposited in the office, after having been signed by Louis, and his official defenders.

We certify that, with the exception of some small corrections of style, which in no instance changes the sense of the discourse, the proof-copy is perfectly conformable to the manuscript; that the explicative notes, which Citizen Deseze thought proper to add, were not in the minutes.

We certify, finally, that this phrase, *The people wished for liberty; he gave it to them*, which was delivered at the bar as it was written in the manuscript, and which was afterwards erased by one of the defenders of Louis, has since been restored in the minutes, agreeably to the decree of the 26th of this month.

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Paris, the 28th of December, 1792, the first year of the FRENCH REPUBLIC. Offelin, Secretary; J. A. Creuze-Latonche, Secretary.

FINIS.